

10213-1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : D. J. Baillargeon et al
 Serial No. : 09/498,793
 Filed : 4 February 2000
 For : Formulated Lubricant Oils Containing High-Performance Base Oils Derived
 From Highly Paraffinic Hydrocarbons
 Group Art Unit : 1764
 Examiner : E. M. McAvoy

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Declaration in Support of Request for Continued Examination

I, Malcolm D. Keen, of 3225 Gallows Road, Fairfax, VA 22037, declare as follows:

1. I am the Malcolm D. Keen who is an attorney of record (Registration No. 27,728) in this application.
2. The invention described and claimed in this application was made by a number of employees of Mobil Research and Development Corporation ("MRDC", later renamed Mobil Technology Company, "MTC") who worked at the Mobil research laboratory located in Paulsboro, N.J.. I have inspected business records of the former MRDC and MTC and made inquiries which together establish that at the time the invention was made, each of these employees was subject to a contractual obligation to assign to MRDC/MTC or its designee, the entire right, title and interest in and to all inventions that each of them made, alone or in combination with others, which related to the business of MRDC/MTC or which resulted from tasks assigned to each of them. The invention described and claimed in this application was one such invention subject to this obligation.
3. The invention was reported to the Mobil Oil Corporation Office of Legal Counsel/Intellectual Property Group by means of an "Information for Patent Consideration" entitled "Formulated Lubricant Oils Containing High-Performance Base Oils Derived From Highly Paraffinic Hydrocarbons". A copy of the "Information" is attached as Exhibit MDK-1; from this copy of the "Information" the dates have been redacted as well as the identifying number of the information and the numbers of the samples referred to in Table 4, which carry prefixes related to the date.

4. The original Information for Patent Consideration for the "Formulated Lubricant Oils Containing High-Performance Base Oils Derived From Highly Paraffinic Hydrocarbons" as shown in the attached Exhibit MDK-1, was signed and dated in manuscript by the six inventors now named in this application on dates which were prior to the date when Mobil Oil Corporation merged with Exxon Corporation in late 1999 and prior to 29 April 1999, the date when WO 99/20720 was published.

5. U.S. Patent No. 6,090,989 (Trewella) patent had been assigned to Mobil Oil Corporation at the time of issue of the patent, as shown by the face of the patent and it remains the property of Mobil Oil Corporation, now known as ExxonMobil Oil Corporation by change of corporate name recorded by the New York Secretary of State on 1 June 2001.

6. Matters stated in this declaration of my own knowledge are true; matters stated on information and belief are believed by me to be true.

7. I have read and understand the following warning: False Statements made willfully and the like made in this declaration are punishable by fine or imprisonment or both (18 USC 1001) and may jeopardize the validity of the application or any patent issuing on it.

Signed at Fairfax, Commonwealth of Virginia

3 September 2004



Malcolm D. Keen